

IC 20-34-5

Chapter 5. Care of Students With Diabetes

IC 20-34-5-1

"Diabetes management and treatment plan"

Sec. 1. As used in this chapter, "diabetes management and treatment plan" means a plan prepared under section 12 of this chapter.

As added by P.L.166-2007, SEC.2.

IC 20-34-5-2

"Health care services"

Sec. 2. As used in this chapter, "health care services" has the meaning set forth in IC 27-8-11-1.

As added by P.L.166-2007, SEC.2.

IC 20-34-5-3

"Individualized health plan"

Sec. 3. As used in this chapter, "individualized health plan" means a coordinated plan of care designed to meet the unique health care needs of a student with diabetes in a school setting.

As added by P.L.166-2007, SEC.2.

IC 20-34-5-4

"Licensed health care practitioner"

Sec. 4. As used in this chapter, "licensed health care practitioner" means an individual who:

- (1) is licensed to provide health care services; and
 - (2) has prescriptive authority;
- under IC 25.

As added by P.L.166-2007, SEC.2.

IC 20-34-5-5

"Physician"

Sec. 5. As used in this chapter, "physician" refers to an individual who is licensed under IC 25-22.5.

As added by P.L.166-2007, SEC.2.

IC 20-34-5-6

"Registered nurse"

Sec. 6. As used in this chapter, "registered nurse" refers to an individual who is licensed as a registered nurse under IC 25-23.

As added by P.L.166-2007, SEC.2.

IC 20-34-5-7

"School"

Sec. 7. As used in this chapter, "school" refers to a public school, including a charter school.

As added by P.L.166-2007, SEC.2.

IC 20-34-5-8**"School employee"**

Sec. 8. As used in this chapter, "school employee" means an individual employed by:

- (1) a public school, including a charter school, or an accredited nonpublic school;
- (2) a local health department working with a school under this chapter; or
- (3) another entity with which a school has contracted to perform the duties required under this chapter.

As added by P.L.166-2007, SEC.2.

IC 20-34-5-9**"School nurse"**

Sec. 9. As used in this chapter, "school nurse" refers to an individual who:

- (1) is employed by a school;
- (2) is licensed as a registered nurse under IC 25-23; and
- (3) meets the requirements set forth in 515 IAC 8-1-47.

As added by P.L.166-2007, SEC.2.

IC 20-34-5-10**"Student"**

Sec. 10. As used in this chapter, "student" refers to a student with diabetes.

As added by P.L.166-2007, SEC.2.

IC 20-34-5-11**"Volunteer health aide"**

Sec. 11. As used in this chapter, "volunteer health aide" means a school employee who:

- (1) is not licensed or authorized to provide health care services under IC 25;
- (2) volunteers to act in the capacity of a volunteer health aide; and
- (3) has successfully completed the training described in section 15 of this chapter.

As added by P.L.166-2007, SEC.2. Amended by P.L.3-2008, SEC.119.

IC 20-34-5-12**Requirements of plan**

Sec. 12. (a) A diabetes management and treatment plan must be prepared and implemented for a student with diabetes for use during school hours or at a school related activity. The plan must be developed by:

- (1) the licensed health care practitioner responsible for the student's diabetes treatment; and
 - (2) the student's parent or legal guardian.
- (b) A diabetes management and treatment plan must:

- (1) identify the health care services or procedures the student should receive at school;
- (2) evaluate the student's:
 - (A) ability to manage; and
 - (B) level of understanding of;the student's diabetes; and
- (3) be signed by the student's parent or legal guardian and the licensed health care practitioner responsible for the student's diabetes treatment.

(c) The parent or legal guardian of a student with diabetes shall submit a copy of the student's diabetes management and treatment plan to the school nurse. The plan must be submitted to and be reviewed by the school nurse:

- (1) before or at the beginning of a school year;
- (2) at the time the student enrolls, if the student is enrolled in school after the beginning of the school year; or
- (3) as soon as practicable following a diagnosis of diabetes for the student.

As added by P.L.166-2007, SEC.2.

IC 20-34-5-13

Development of plan

Sec. 13. (a) An individualized health plan must be developed for each student with diabetes while the student is at school or participating in a school activity. The school's nurse shall develop a student's individualized health plan in collaboration with:

- (1) to the extent practicable, the licensed health care practitioner responsible for the student's diabetes treatment;
- (2) the school principal;
- (3) the student's parent or legal guardian; and
- (4) one (1) or more of the student's teachers.

(b) A student's individualized health plan must incorporate the components of the student's diabetes management and treatment plan.

As added by P.L.166-2007, SEC.2.

IC 20-34-5-14

Use of volunteer health aides

Sec. 14. (a) At each school in which a student with diabetes is enrolled, the school principal, after consultation with the school nurse, shall:

- (1) seek school employees to serve as volunteer health aides; and
- (2) make efforts to ensure that the school has an adequate number of volunteer health aides to care for students.

(b) A volunteer health aide, while providing health care services, serves under the supervision and authorization of the principal and the school nurse in accordance with the requirements that apply to the school nurse under IC 25-23.

(c) A volunteer health aide must have access to the school nurse, in person or by telephone, during the hours that the volunteer health

aide serves as a volunteer health aide.

(d) A school employee may not be subject to any disciplinary action for refusing to serve as a volunteer health aide. The school shall inform school employees that participation as a volunteer health aide is voluntary. A school employee who volunteers as a volunteer health aide may elect to perform only those functions that the school employee:

- (1) chooses to perform; and
- (2) is trained to perform in the training program described in section 15 of this chapter.

As added by P.L.166-2007, SEC.2.

IC 20-34-5-15

Diabetes training program

Sec. 15. (a) The department may cooperate with the state department of health in the development of a diabetes training program for school nurses. The department, with the assistance of physicians or registered nurses who are qualified in the area of diabetes training, shall provide annual diabetes training programs to school nurses. The training must include technological advances, current standards of practice for diabetes management and training, and instruction in the following:

- (1) Developing individualized health plans for students with diabetes that follow the orders of a licensed health care practitioner.
- (2) Recognizing and treating the symptoms of hypoglycemia and hyperglycemia.
- (3) Understanding the current standards of practice and the proper action to take if the blood glucose levels of a student are outside the target ranges indicated on the student's diabetes management and treatment plan.
- (4) Performing tests to check glucose and ketone levels, and recording the results.
- (5) Properly administering glucagon, insulin, or other emergency treatments prescribed by the licensed health care practitioner, and recording the results.
- (6) Recognizing complications that require emergency medical assistance.
- (7) Understanding recommended schedules and food intake for meals and snacks for a student, the effect of physical activity on blood glucose levels, and the proper action to be taken if a student's schedule referred to in this subdivision is disrupted.

(b) The department may cooperate with the state department of health in the development of a diabetes training program for volunteer health aides. The department, with the assistance of physicians and registered nurses who are qualified in the area of diabetes training, shall provide a diabetes training program for volunteer health aides which includes the most current standards of practice and technology for diabetes treatment. The training must include the following:

- (1) Implementing the orders of a licensed health care practitioner.
 - (2) Recognizing and treating the symptoms of hypoglycemia and hyperglycemia consistent with the orders of the licensed health care practitioner.
 - (3) Performing tests to check glucose and ketone levels, and recording the results.
 - (4) Properly administering glucagon, insulin, or other emergency treatments as prescribed, and recording the results.
 - (5) Recognizing complications that require emergency medical assistance.
 - (6) Understanding:
 - (A) recommended schedules and food intake for meals and snacks;
 - (B) the effect of physical activity on blood glucose levels; and
 - (C) the proper action to be taken if a student's schedule is disrupted.
 - (c) The school nurse shall coordinate:
 - (1) the training of school employees acting as volunteer health aides, using the training program developed under subsection (b); and
 - (2) the record keeping and monitoring of a volunteer health aide acting under this chapter.
 - (d) Training for volunteer health aides must be provided by a health care professional with expertise in the care of individuals with diabetes or by a school nurse. The training must be provided before the beginning of the school year or as soon as practicable following:
 - (1) the enrollment; or
 - (2) the diagnosis;
- of a student with diabetes at a school that previously had no students with diabetes.
- (e) The school nurse or principal shall maintain a copy of the training program and the records of training completed by school employees.

As added by P.L.166-2007, SEC.2.

IC 20-34-5-16

Tasks; school nurses and volunteer health aides

Sec. 16. (a) The school nurse shall perform the tasks necessary to assist a student in carrying out the student's individualized health plan.

(b) When necessary, a volunteer health aide may perform the tasks necessary to assist a student in carrying out the student's individualized health plan, in compliance with the training guidelines provided under section 15 of this chapter.

(c) A volunteer health aide may act under this section only if the parent or legal guardian of the student signs an agreement that:

- (1) authorizes a volunteer health aide to assist the student; and
- (2) states that the parent or legal guardian understands that, as

provided under IC 34-30-14, a volunteer health aide is not liable for civil damages for assisting in the student's care.

(d) A volunteer health aide who assists a student under this section:

- (1) is not considered to be engaging in the practice of nursing; and
- (2) is exempt from applicable statutes and rules that restrict activities that may be performed by an individual who is not an individual licensed or authorized under IC 25 to provide health care services.

(e) A school corporation may not restrict the assignment of a student to a particular school on the sole basis of whether the school has volunteer health aides.

As added by P.L.166-2007, SEC.2.

IC 20-34-5-17

Authorized diabetes management and treatment activities

Sec. 17. (a) As provided in a student's individualized health plan, a school shall, except in an emergency, allow the student to attend to the management and care of the student's diabetes if the student has been evaluated and determined to be capable of doing so as reflected in the student's individual health plan and the student's diabetes management and treatment plan, including the following activities:

- (1) Performing blood glucose level checks.
- (2) Administering insulin through the insulin delivery system the student uses.
- (3) Treating hypoglycemia and hyperglycemia.
- (4) Possessing on the student's person at any time the supplies or equipment necessary to monitor and care for the student's diabetes.
- (5) Otherwise attending to the management and care of the student's diabetes in the classroom, in any area of the school or school grounds, or at any school related activity.

(b) The school nurse shall, in accordance with the requirements that apply to the school nurse under IC 25-23, establish a procedure through which a student described in subsection (a) is cared for in an emergency.

As added by P.L.166-2007, SEC.2.

IC 20-34-5-18

Information sheet requirement

Sec. 18. A school shall provide the individual who is responsible for providing transportation for or supervising a student with diabetes during an off-campus school related activity an information sheet that:

- (1) identifies the student with diabetes;
- (2) identifies potential emergencies that may occur as a result of the diabetes and appropriate responses to an emergency; and
- (3) provides the telephone number of a contact in case an emergency occurs.

As added by P.L.166-2007, SEC.2.